

REMARKS

Claims 1-2 are pending. A Non-Final Office Action mailed April 2, 2008 rejected Claims 1-2 under 35 U.S.C. § 101 and 35 U.S.C. § 112. Applicant hereby cancels Claims 1-2, amends the specification to include the language derived from Claims 1 and 2 as generalized expressions of at least one nonlimiting embodiment, adds Claims 3 through 16, and respectfully requests reconsideration of the application.

Amendments to the Summary of the Invention were entered to preserve the matter contained in the former Claims 1 and 2 and not for the purpose of adding any new matter to the specification. Because the assertions made within the claims as they were formerly asserted are germane to the teaching of the patent, Applicant has elected to retain them as nonlimiting descriptions of an embodiment of the invention rather than to assert them as claimed matter. No new matter has been added to the specification by this amendment.

New Claims 3-16 express two claim sets, one directed to calculation of a Converted Polarized Consensus Rating and the other to a computer program resident on a computer readable medium (referred to as the Fast Forum in the Specification at paragraphs 16, 19, 52, 183 and former Claims 1 and 2). Applicant respectfully asserts that further enablement of claims to a computer program is not necessary as the calculations set forth are summing and dividing and as such have been previously enabled in the art. By way of example, when a spreadsheet in the commonly used Excel™ program is suitably configured according to the instructions of Claims 10 through 16, the spreadsheet would appropriately calculate and express the Polarization Rating, Consensus Rating, and the Converted Polarized Consensus Rating in accord with Claims 3 through 9. Additionally, for the same reason, the Claims are not susceptible to a Restriction Requirement.

Each of Claims 3-16 find their enablement within the Specification, although, in general, paragraphs 30 through 116 give a complete description as may be necessary to allow a person of ordinary skill in the art to perform the method.

In the Office Action mailed April 2, 2008, the Claims were rejected under 35 U.S.C. § 101 as failing to give steps to a method, the steps enabling the performance of a substantially repeatable result. Cancellation of Claims 1 and 2 and the submission of new Claims 3-9 suitably provide a method that is substantially repeatable. The same claims also address the rejection according to 35 U.S.C. § 112.

CONCLUSION

Applicant respectfully submits that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicant respectfully requests entry of the amendment, withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicant's attorney of record listed below.

Respectfully submitted,

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